

11/10/98

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PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 061-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL		Attny Docket No.	PZ006P1	Total Pages:	259
(Only for new nonprovisional applications under 37 CFR 1.53(a))		First Named Inventor or Application Identifier Ruben et al.			
Date		November 10, 1998			
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		Assistant Commissioner for Patents Address to: Box Patent Application Washington, D.C. 20231			
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form</p> <p>2. <input checked="" type="checkbox"/> Specification [total pgs. 147] (preferred arrangement set forth below)</p> <ul style="list-style-type: none">- Descriptive title of the Invention- Cross References to Related Applications- Statement Regarding Fed Sponsored R&D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure <p>3. a. Drawing(s) Total Sheets b. Sequence Listing Total pages 102</p> <p>4. <input checked="" type="checkbox"/> Unexecuted Oath or Declaration Total pages 3</p> <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input type="checkbox"/> Copy from a prior application (1.63(d)) (for con/div with Box 17 completed)i. <input type="checkbox"/> Deletion of Inventors (signed statement attached deleting inventor(s) named in prior app.) <p>5. <input checked="" type="checkbox"/> Incorporation by Reference (with Box 4b) The entire disclosure of the application referred to in Box 17 is hereby incorporated by reference.</p>		<p>6. <input type="checkbox"/> Microfiche Computer Program (appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <ul style="list-style-type: none">a. <input checked="" type="checkbox"/> Computer Readable Copyb. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy)c. <input checked="" type="checkbox"/> Statement verifying identity of above copies			
		Accompanying Application Parts			
		<p>8. <input type="checkbox"/> Assignment Papers (cover and document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attny</p> <p>10. <input type="checkbox"/> English Translation Document</p> <p>11. <input type="checkbox"/> Information Disclosure Statement/PTO-1449</p> <p><input type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (should be specifically itemized)</p> <p>14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, status still proper and desired</p> <p>15. <input type="checkbox"/> Certified copy of priority document(s)</p> <p>16. <input type="checkbox"/> Other:</p>			
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:					
<input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Continuation-in-Part (CIP) of prior application No.: PCT/US98/10868					
18. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label or <input checked="" type="checkbox"/> Correspondence address below					
Name	Kenley K. Hoover, Esq., Attorney for Applicants Human Genome Sciences, Inc.				
Address	9410 Key West Avenue				
City	Rockville	State	MD	Zip Code	20850
Country	US	Telephone	301-309-8504	Fax	301-309-8439
Signature		Reg. No. 40,302		November 10, 1998	
				Date	

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U.S. PTO
771681/60
JC135

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ruben et al.

Application Serial No.: Not assigned

Art Unit: Not assigned

Filed: Concurrently herewith

Examiner: Not assigned

For: 32 Human Secreted Proteins

Attorney Docket No.: PZ006P1

PATENT APPLICATION FEE VALUE

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

The filing fee the subject application being filed concurrently herewith has been calculated as follows:

TYPE	NO. FILE	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	23	-20	3	\$22.00 each	\$ 66.00
Independent	4	-3	1	\$82.00 each	\$ 82.00
Minimum Fee					790.00
Multiple Dependency Fee if applicable (\$260.00)					
Total Filing Fee					\$938.00

This application is a continuation-in-part of, and claims benefit under 35 U.S.C. § 120 of copending United States patent application Serial No: PCT/US98/10868, filed May 28, 1998, which claims benefit under 35 U.S.C. § 119(e) based on U.S. Provisional Applications:


	Filing Date	Appln No.
1.	May 30, 1997	60/044,039
2.	May 30, 1997	60/048,093
3.	May 30, 1997	60/048,190
4.	May 30, 1997	60/050,935
5.	May 30, 1997	60/048,101
6.	May 30, 1997	60/048,356
7.	August 29, 1997	60/056,250
8.	August 29, 1997	60/056,296
9.	August 29, 1997	60/056,293

Please charge the required fee to Deposit Account No. 08-3425. In addition, the Commissioner is hereby authorized to charge payment for any additional filing fees required under

37 C.F.R. 1.16 or credit any overpayment to Deposit Account No. 08-3425. A duplicate of this paper is attached.

Respectfully submitted,

Date: November 10, 1998


Kenley K. Hoover (Reg. No. 40,302)
Attorney for Applicants

Enclosure
KKH/ur

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 850-4985 (telephone)

08 OCT 14 1998



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: 301-231-5519 or 231-5532 • FAX: 301-816-4366

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

JC135 U.S. PTO
09/189144
11/10/98

To: (Name and Address of Depositor or Attorney)

Human Genome Sciences, Inc.
Attn: Robert H. Benson
9410 Key West Avenue
Rockville, MD 20850

Deposited on Behalf of: Human Genome Sciences, Inc.

Identification Reference by Depositor:

DNA Plasmid PS016
DNA Plasmid PS017
DNA Plasmid 1883940 (PF 371)

ATCC Designation

97978
97979
97980 ✓

The deposits were accompanied by: ___ a scientific description ___ a proposed taxonomic description indicated above.

The deposits were received March 27, 1997 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested April 10, 1997. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: April 11, 1997



AMERICAN TYPE CULTURE COLLECTION
12301 Parklawn Drive
Rockville, Maryland 20852 USA

Telephone: 301/231-5519
FAX: 301/816-4366

FACSIMILE

Date: May 30, 1997
To: Tina Powers
Human Genome Sciences
Fax Number: 1-301-309-8439

Total number of pages including this page: One (1)

From: ATCC Patent Depository

Reference: Patent Deposit on behalf of .

DNA Plasmid PS010 (Ref. PS010A2-PS010E2PP) assigned ATCC 209070,
DNA Plasmid PS011 (Ref. PS011A2PP-PS11E2PP) assigned ATCC 209071,
DNA Plasmid PS013 (Ref. PS013A2PP-PS013E2PP) assigned ATCC 209072,
DNA Plasmid PS014 (Ref. PS014A2PP-PS014E2PP) assigned ATCC 209073,
DNA Plasmid PS015 (Ref. PS015A2PP-PS015E2PP) assigned ATCC 209074,
DNA Plasmid PS016 (Ref. PS016A2PP-PS016E2PP) assigned ATCC 209075, and
DNA Plasmid PS030 (Ref. PS030A2PP-PS030E2PP) assigned ATCC 209076.

Date of deposit May 22, 1997. Paperwork will be forwarded to you in a few days.
An invoice will be sent under separate cover as follows:

One time fee - 30 years	\$ 4,200.00
Informing of Requesters	2,520.00
Viability Test	<u>1,050.00</u>

Total amount due to ATCC 209070-209076 \$ 7,770.00

Barbara Hailey
Barbara M. Hailey, Administrator, ATCC Patent Depository
Telephone: 301/231-5519

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

MAY 10 1997

To: (Name and Address of Depositor or Attorney)

Human Genome Sciences, Inc.
Attn: Robert H. Benson
9410 Key West Avenue
Rockville, MD 20850

HGS PATENT DEPT.

Deposited on Behalf of: Human Genome Sciences, Inc. (Docket Nos. PS029 and PF378)

Identification Reference by Depositor:

ATCC Designation

DNA plasmid PS029
DNA Plasmid HMS1B42

209022
209023 ✓

The deposits were accompanied by: ___ a scientific description ___ a proposed taxonomic description indicated above.

The deposits were received May 8, 1997 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 15, 1997. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: May 15, 1997